

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**CIVIL NO. 3:98CV394**

**CALVIN R. LUCKEY, and wife PEGGY G.**                    )  
**LUCKEY, et al.,**    )  
    )  
**This document pertains to:**                                    )  
**FLOYD J. BOWMAN and DONNIE I. BAILEY,** )  
    )  
**Plaintiffs,**    )  
    )  
**v.**    )  
    )  
**ACandS, INC., et al.,**                                        )  
    )  
**Defendants.**    )

**ORDER**

**THIS MATTER** is before the Court upon the joint motions of the captioned Plaintiffs and Defendant, A.W. Chesterton Company, to dismiss, without prejudice, all claims of said Plaintiffs against A.W. Chesterton Company.

It appearing that grounds exist to permit said Plaintiffs to do so,

**IT IS, THEREFORE, ORDERED, ADJUDGED, and DECREED** that the joint motions to dismiss are **ALLOWED**, and the claims of Plaintiffs Floyd J. Bowman and Donnie I. Bailey, against Defendant, A.W. Chesterton Company, are hereby **DISMISSED WITHOUT PREJUDICE.**

Signed: March 6, 2007



Lacy H. Thornburg  
United States District Judge

